

## AUTHORIZING THE CONVEYANCE OF CERTAIN LAND TO THE STATE OF OREGON

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JUNE 18, 1956.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. DURHAM, from the Committee on Armed Services, submitted the following

### R E P O R T

[To accompany H. R. 9699]

The Committee on Armed Services, to whom was referred the bill (H. R. 9699) to provide for the conveyance to the State of Oregon of the land and improvements known as the Clackamas National Guard target range, at Clackamas, Oreg., to be used for National Guard purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of the bill is to authorize the Secretary of the Army to convey 233.91 acres of Government-owned land in Clackamas County, Oreg., now used by the State of Oregon National Guard as a firing range and storage depot, to the State of Oregon, the conveyance to be without consideration therefor and on condition that it shall be used for military purposes only and subject to the reservation of all mineral rights, including gas and oil, and the right of re-entry and use of the property during a national emergency.

#### BACKGROUND OF THE BILL

The 233.91 acres identified in section 1 of the bill were acquired by the United States during that period 1910–19 at a cost of \$60,767 to provide a target range for the training of the Oregon National Guard. The installation, known as the Clackamas National Guard Target Range, has been actively used by the Oregon National Guard as a target range for the training of the National Guard and civilian components, as well as for storage, maintenance and repair of National

Guard supplies and equipment. In developing the property for military use, the Federal Government has expended \$270,442.40 for buildings and the State of Oregon has spent \$212,389.96 for this purpose. The utilities also were constructed by the State of Oregon.

The Oregon National Guard has a continuing requirement for the use of this property for National Guard purposes. Enactment of this measure will provide for the conveyance of title to the property to the State and will facilitate plans of the Oregon National Guard for further development of the installation.

#### NECESSITY FOR THE LEGISLATION

In the exercise of its constitutional power to regulate the disposal of Federal property, the Congress by general legislation has provided for maximum utilization of federally owned property and has provided generally and specifically for disposal of surplus property. The principal statute of this subject is the Federal Property and Administrative Services Act, Public Law 152, 81st Congress, as amended. Provisions have been made for transfers of surplus Government-owned property, both real and personal, to States, political subdivisions, and tax-supported or nonprofit institutions for health and educational purposes. Section 203 (k) of the Federal Property and Administrative Services Act, as amended, in effect authorizes these transfers without consideration by providing public-benefit allowances of up to 100 percent. Provisions are made for transfers, without compensation to the Government of surplus realty for historic-monument purposes (50 U. S. C. App. 1622h). States or political subdivisions are given a public-benefit allowance of 50 percent of the fair value with respect to transfers of surplus realty for park and recreational use (Public Law 616, 80th Cong.). Statutory provisions are made for transfer without monetary consideration of surplus, Government-owned airport property to States or political subdivisions for public airport use (50 U. S. C. 1622).

No general provision of law now in effect authorizes the transfer of surplus Government-owned real property to States for National Guard purposes. Nevertheless, the Congress has by separate law authorized many conveyances of federally owned realty to the various States to be used for National Guard purposes. With rare exceptions, these laws have provided that the transfers pursuant thereto would be subject to reservations of Federal use during national emergencies and were conditioned on automatic reversion of title to the United States in the event of nonuse for National Guard or other military purposes.

#### FISCAL DATA

Enactment into law of this measure will not involve the expenditure of any Federal funds.

#### DEPARTMENTAL DATA

Neither the Department of the Army nor the Bureau of the Budget has any objection to this bill as is evidenced by the letter dated May 15, 1956, from Secretary of the Army Wilber M. Brucker which is set out below and made a part of this report.

DEPARTMENT OF THE ARMY,  
*Washington, D. C., May 15, 1956.*

HON. CARL VINSON,  
*Chairman, Committee on Armed Services,  
House of Representatives.*

DEAR MR. CHAIRMAN: Reference is made to your request to the Secretary of Defense for the views of the Department of Defense with respect to H. R. 9699, 84th Congress, a bill to provide for the conveyance to the State of Oregon of the land and improvements known as the Clackamas National Guard target range, at Clackamas, Oreg., to be used for National Guard purposes. The Secretary of Defense has delegated to the Department of the Army the responsibility for expressing the views of the Department of Defense thereon.

The purpose of the bill is to authorize the Secretary of the Army to convey 233.91 acres of Government-owned land in Clackamas County, Oreg., now used by the State of Oregon National Guard as a firing range and storage depot to the State of Oregon, the conveyance to be without consideration therefor and on condition that it shall be used for military purposes only and subject to the reservation of all mineral rights, including gas and oil, and the right of re-entry and use of the property during a national emergency.

The Department of the Army on behalf of the Department of Defense interposes no objection to the above-mentioned bill.

The 233.91 acres identified in section 1 of the bill were acquired by the United States during the period 1910-19 at a cost of \$60,767 to provide a target range for the training of the Oregon National Guard. The installation, known as the Clackamas National Guard Target Range, has been actively used by the Oregon National Guard as a target range for the training of the National Guard and civilian components, as well as for storage, maintenance, and repair of National Guard supplies and equipment. In developing the property for military use, the Federal Government has expended \$270,442.40 for buildings and the State of Oregon has spent \$212,389.96 for this purpose. The utilities were also constructed by the State of Oregon.

The Oregon National Guard has a continuing requirement for the use of this property for National Guard purposes. Enactment of this measure will provide for the conveyance of title to the property to the State and will facilitate plans of the Oregon National Guard for further development of the installation. The bill, which conforms generally with similar legislation enacted in recent years with reference to other properties held by the Department of the Army primarily for the training and support of the National Guard of the several States, is considered appropriate for this purpose.

Enactment of this measure will not involve the expenditure of any Department of Defense funds.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

WILBER M. BRUCKER,  
*Secretary of the Army.*

